

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CRAIG SCHULZ,

Plaintiff,

v.

ORDER

DARIN PAGEL, SHANE VANDERWAAL,
TOM HAYDEN, and CITY OF MERRILL,
WISCONSIN,

16-cv-845-jdp

Defendants.

Defendants Darin Pagel, Shane VanderWaal, Tom Hayden, and City of Merrill, Wisconsin, moved for summary judgment on all claims asserted by pro se plaintiff Craig Schulz. Dkt. 18. Magistrate Judge Stephen L. Crocker granted Schultz a 30-day extension and allowed him to file his opposition materials by January 26, 2018. Dkt. 25. Shultz failed to respond to defendants' motion or communicate with the court in any way by January 26, 2018. Defendants filed a reply and argued that the case should be dismissed with prejudice for Schulz's failure to prosecute. Dkt. 26, at 4. I gave Schulz another chance and allowed him to file his opposition materials by April 10, 2018, explaining that failure to do so would result in the dismissal of this case with prejudice. Dkt. 27.

Schulz's new deadline has passed, and the court has received nothing from him. "A district court has the authority under Federal Rule of Civil Procedure 41(b) to enter a sua sponte order of dismissal for lack of prosecution." *James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005). I will dismiss this case with prejudice for Schulz's failure to prosecute it. This dismissal operates as an adjudication on the merits. Fed. R. Civ. P. 41(b).

ORDER

IT IS ORDERED that plaintiff Craig Schulz's claims are DISMISSED with prejudice for his failure to prosecute the lawsuit. The clerk of court is directed to enter judgment for defendants and close this case.

Entered April 19, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge